IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Civil Writ Petition No.1832 of 2007

Sou. Firoza Bomi Anklesaria — Petitioner
Vs.
K.N.Bahadurji Memorial Sanitorium
and ors. — Respondents

Mr.P.S.Dani for petitioner.

Mr.H.N.Vakil i/b. Mulla & Mulla & CB & C for resp.nos.1 to 3.

CORAM: B.H.MARLAPALLE, J.

April 27, 2007.

P.C.

. Heard Mr.Dani, the learned counsel for the petitioner-tenant. Mr.Vakil appears for the respondents i/b. Mulla & Mulla. By the impugned order passed below the application at Exhibit 5 in Civil Appeal No.252 of 2006, the eviction decree passed by the trial Court has been stayed subject to the appellant-tenant depositing an amount of Rs.54,000/- plus the amount of cost within six weeks and continue to deposit the monthly licence fees of Rs.2500/- during the pendency of the appeal.

. The suit premises are a residential bungalow at Devlali in the neighbourhood of Nashik city. There is no reason to cause interference in the said

order which prima facie protects the interest of both the parties. By the order dated 16/3/2007 the petitioner was directed to continue to pay monthly compensation of Rs.2500/-. Mr.Dani, the learned counsel prayed for some time to deposit the arrears amount of Rs.54,000/- as directed by the lower Appellate Court.

. The petition is hereby rejected summarily. However, the amount of arrears of Rs.54,000/- will be deposited in two equal instalments by the petitioner and the first instalment of Rs.25,000/- shall be deposited before 15th May 2007 and the second instalment of about Rs.29,000/- shall be deposited by 15th July 2007. There is no other variation in the impugned order.

. Writ to go forthwith.

(B.H.MARL